

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

2311 RACING LLC d/b/a 23XI RACING, and  
FRONT ROW MOTORSPORTS, INC.,

Plaintiffs,

v.

NATIONAL ASSOCIATION FOR STOCK  
CAR AUTO RACING, LLC and JAMES  
FRANCE

Defendants.

Civil Action No. 3:24-cv-886-KDB-SCR

**DEFENDANTS' AMENDED NOTICE OF APPEAL**

**NOTICE IS HEREBY GIVEN** that pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure, as well as 28 U.S.C. § 1292(a)(1), Defendants National Association For Stock Car Auto Racing, LLC, and James France hereby appeal to the United States Court of Appeals for the Fourth Circuit from the District Court's December 18, 2024 Order granting Plaintiffs' Motion for Preliminary Injunction [Doc. No. 74], as amended by the District Court's December 23, 2024 Order [Doc. No. 89], and from the District Court's December 26, 2024 Order granting Plaintiffs an additional Preliminary Injunction [Doc. No. 94].

Defendants previously filed a Notice of Appeal on December 19, 2024 [Doc. No. 81], concerning the District Court's Order granting Plaintiffs' Motion for Preliminary Injunction [Doc. No. 74]. That appeal has been docketed in the Fourth Circuit as *2311 Racing LLC, et al., v. National Association for Stock Car Auto Racing, LLC, et al.*, Case No. 24-2245. Defendants respectfully request that no additional appeal be docketed upon the filing of this amended document, but that Defendants' amended notice of appeal be included under Case No. 24-2245.

This the 27th day of December, 2024.

Respectfully submitted,

/s/ Christopher S. Yates

Christopher S. Yates\*

**LATHAM & WATKINS LLP**

505 Montgomery Street, Suite 2000

San Francisco, CA 94111

Telephone: (415) 395-8240

Facsimile: (415) 395-8095

chris.yates@lw.com

Lawrence E. Buterman\*

**LATHAM & WAKINS LLP**

1271 Avenue of the Americas

New York, NY 10020

Telephone: (212) 906-1200

Facsimile: (212) 751-4864

lawrence.buterman@lw.com

Anna M. Rathbun\*

Christopher J. Brown\*

**LATHAM & WATKINS LLP**

555 Eleventh Street, NW, Suite 1000

Washington, DC 20004

Telephone: (202) 637-2200

Facsimile: (202) 637-2201

anna.rathbun@lw.com

chris.brown@lw.com

Tricia Wilson Magee (N.C. Bar No. 31875)

**SHUMAKER, LOOP, & KENDRICK, LLP**

101 S Tryon Street, Suite 2200

Charlotte, NC 28280

Tel: 704-945-2911

Fax: 704-332-1197

tmagee@shumaker.com

\* Admitted *pro hac vice*

*Counsel for Defendants NASCAR and James  
France*

**ARTIFICIAL INTELLIGENCE (AI) CERTIFICATION**

I hereby certify the following:

1. No artificial intelligence was employed in doing the research for the preparation of this document, with the exception of such artificial intelligence embedded in the standard on-line legal research sources Westlaw, Lexis, FastCase, and Bloomberg;
2. Every statement and every citation to an authority contained in this document has been checked by an attorney in this case and/or a paralegal working at his/her direction as to the accuracy of the proposition for which it is offered, and the citation to authority provided.

This the 27th day of December, 2024.

/s/ Christopher S. Yates

**CERTIFICATE OF SERVICE**

I hereby certify that on December 27, 2024, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Christopher S. Yates